

DJW

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Jodi Hobbs

Jodi Hobbs

Sept 18, 2007

Signature

Date

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Monaci, *et al.*

Serial No.: 10/565,418 - Case No.: ITR0065YP

Art Unit:

1647

Filed: January 23, 2006

For: SYNTHETIC GENE ENCODING HUMAN  
EPIDERMAL GROWTH FACTOR 2/NEU  
ANTIGEN AND USES THEREOF

Examiner:

Allen, M.P.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This communication is in response to the outstanding Restriction Requirement mailed August 28, 2007, in the above-identified application, having a one-month period for response set to expire September 28, 2006. Reconsideration and allowance of the above-identified patent application are respectfully requested. Please credit any overpayment or charge any fee deficiency to Deposit Account No. 13-2755.

The Office Action states that the application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1:

- Group I, claims 1-5 and 11 → drawn to a synthetic nucleic acid molecule encoding SEQ ID NO:2 and method of producing the encoded protein.
- Group II, claims 6-10 and 12 → drawn to a synthetic nucleic acid molecule encoding SEQ ID NO:14 and method of making the encoded protein.
- Group III, claims 13 and 15-24 → drawn to a method of preventing or treating cancer by administering a vaccine vector.